IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15846 of 2005

Between:

K. Karunakaran Reddy, S/o. Lakshmi Narshima Reddy,
R/o. Warangal District.

..... PETITIONER

AND

1 The District Level Committee, rep. by its Chairman, Warangal.
2 The District Panchayat Officer, Warangal District, Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to Issue an order or writ one in the nature of writ of Mandamus, declaring the action of the respondent in not considering the representation of the petitioner dt. 11.05.2005 for quarrying ordinary sand in Thanamcherla Gram Panchayat, Maripeda Mandal, Mahaboobabad Division, Warangal District for the non-operation of the period of lease for two months eight days as arbitrary, illegal, unjust, unconstitutional and pass such other order or orders.

Counsel for the Petitioner : SMT.N.SHOBA

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

This Writ Petition is filed by the petitioner to declare the action of the respondents in not considering the representation of the petitioner dated 11.05.2005 for allowing him to quarry ordinary sand in Thanamcherla Gram Panchayat, Maripeda Mandal, Mahaboobabad Division, Warangal District for the non-operation period of lease i.e., two months eight days as arbitrary and illegal.

It is the case of the petitioner that pursuant to the notification dated 17.10.2000 issued by the District Level Committee, Warangal for holding auction of sand quarries, he participated in the auction for Thanamcherla Gram Panchayat, Boomakala Village, Maripeda Mandal, Warangal District and became the highest bidder and the total amount was deposited by him within the stipulated time. The lease period was to expire by 31.10.2002. While that being so, quarrying operations were stayed in W.P.No.15369 of 2002 by Order dated 23.08.2002 and the said Writ Petition was dismissed on 08.07.2004. In view of the stay orders, though the petitioner was not a party to the said Writ Petition, he could not proceed with quarrying operations for two months eight days i.e. from 23.08.2002 to 31.10.2002. He represented to the District Level Committee on 10.03.2005 followed by subsequent representation dated 11.05.2005 to permit him to quarry ordinary sand in Thanamcherla Gram Panchayat, Maripeda Mandal, Mahaboobabad Division, Warangal District for the non-operation period of lease i.e., two months eight days, but so far, the District Level Committee has not passed any orders on the said representations.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition at the admission stage directing the respondents to consider and dispose of the representation of the petitioner dated 11.05.2005 within a period of three weeks from the date of receipt of a copy of the Order. No order as to costs.

(ELIPE DHARMA RAO, J)

Dt: 21.07.2005

bsv/lvl

To

1 The Chairman, District Level Committee, Warangal.
2 The District Panchayat Officer, Warangal District, Warangal.

3 Two CCs to the Government Pleader for Panchayat Raj, High Court of A.P.,

Hyderabad (OUT)

4. Two CD copies